Election

Applicants hereby elect the species o-chlorogenic acid, which is specifically recited in claims 5 and 11. Independent claims 1 and 7 are generic. This election is made with traverse.

Remarks

Claims 1-12 remain of record in this application. Claims 1-3, 5, 7-9, and 11 have been amended. No claims have been cancelled or added.

Support for the amendment to the specification and claims is inherent in the originally filed disclosure. Specifically, support for the recitation of an "o-diphenol" compound may be found at page 5, paragraph no. 0012, lines 3-7, and paragraph no. 0026 bridging pages 12-13.

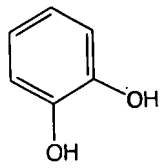
Traversal of Restriction

In describing the justification for the restriction requirement, the Examiner has indicated that the disclosed species of diphenyl compounds are independent and distinct because they are structurally different, and the Examiner has specifically noted the difference between the originally claimed caffeic acid and malic acid. The Examiner has further requested that Applicants name or define all additional desired chemicals.

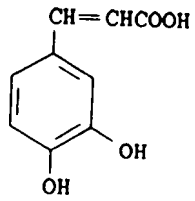
In reply, Applicants regretfully note that the claims and portions of the specification incorrectly referred to the generic group of disclosed species as "*o*-diphenyl" compounds, and one species was incorrectly referred to as "malic acid". As noted above, the specification and claims should have referred to the generic group of compounds as "*o*-diphenol" compounds as described in the specification at paragraph no. 0026 bridging pages 12-13. Moreover, the reference to "malic acid" in claim 5 should have been omitted. Malic acid is not an *o*-diphenol and is not suitable for use herein, although the caffeic acid ester with malic acid, caffeoyl malate is (see the specification at paragraph no. 0026 bridging pages 12-13). Applicants also note that the disclosed caffeoyl malate is synonymous with phasic acid, which is recited in claims 5 and 11. Applicants apologize for any inconvenience resulting from these errors and have attempted to correct all errors throughout the disclosure.

Applicants respectfully request reconsideration of the restriction requirement in view of the above-noted amendments. Specifically, all of the disclosed and claimed species are indeed structurally related as described in the specification at paragraph no. 0026 bridging pages 12-13. As disclosed therein, all of the disclosed species contain a common phenyl ring substituted with two hydroxyl groups located at an *ortho*-

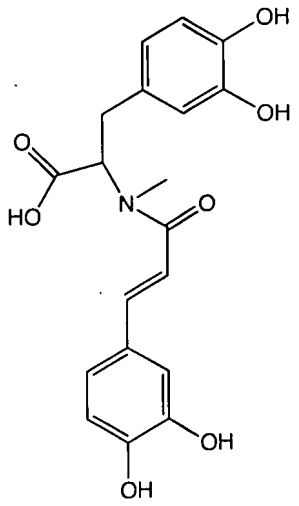
position. Moreover, with the exception of catechol (which is simply *o*-dihydroxy benzene), all of the species may be categorized as caffeic acid or its derivatives. For example, chlorogenic acid, caffeoyl tartrate, caffeoyl glucose, rosmarinic acid, and phasic acid (*i.e.*, caffeoyl malate), are all esters caffeic acid. The remaining species, clovamide, is an amino acid amide of caffeic acid. The structures of many of the disclosed species are provided for clarification:



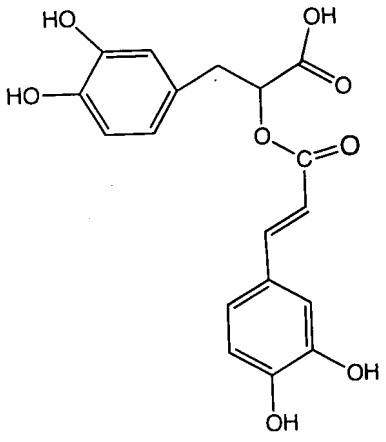
catechol



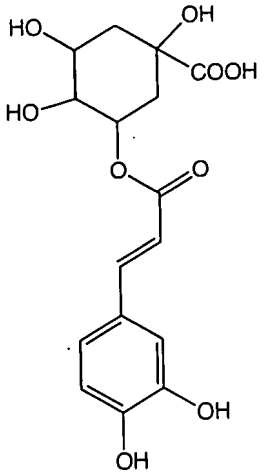
caffeic acid



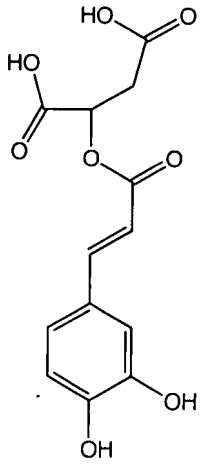
clovamide



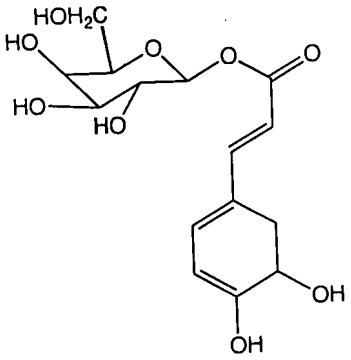
rosmarinic acid



chlorogenic acid



phasic acid

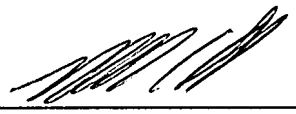


caffeoyl glucose

Although structure of the caffeoyl tatrate is not shown, it is similar, for example, to any of chlorogenic acid, phasic acid or caffeoyl glucose except that the esterified moiety is tartaric acid rather than quinic acid, malic acid or glucose which are the esterified moieties in chlorogenic acid, phasic acid, and caffeoyl glucose, respectively.

In view of the foregoing, Applicants respectfully request that the requirement for restriction be reconsidered and withdrawn, and that the claimed genus of *o*-diphenols and all of the claimed species receive action on the merits.

Respectfully submitted,



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